

**MINUTES OF CITY COUNCIL MEETING  
ARTESIA, NEW MEXICO  
March 11, 2014**

The City Council of the City of Artesia, New Mexico met in the City Council Chambers at City Hall on Tuesday, March 11, 2014 at 7:00 p.m. in regular session with Mayor Phillip Burch presiding, and the following present to wit:

Jose Luis Aguilar	Raul Rodriguez
Kent Bratcher	Bill Rogers
Terry Hill	Nora Sanchez
Manuel Madrid Jr.	Jeff Youtsey

The following were absent:  
none

Also present:  
Aubrey Hobson, City Clerk-Treasurer  
John Caraway, City Attorney

It was determined that a quorum was present. The invocation was given by Councilor Rodriguez, and all joined in the Pledge of Allegiance.

**New Requests for City Facilities**

Ruth Bratcher, representing First Baptist Church, requested the use of the north shelter at Jaycee Park on Friday, July 4<sup>th</sup> from Noon to 6 pm for their 110<sup>th</sup> Anniversary Celebration. Councilor Rodriguez moved to approve this request. The motion was seconded by Councilor Madrid and upon vote, the motion passed.

**Consent Agenda**

Mayor Pro tem Hill moved to approve the Consent Agenda as written. The motion was seconded by Councilor Rogers and upon vote, the motion passed.

The Consent Agenda includes:

1. Approval of Minutes: \*February 25, 2014
2. Consideration of Bids:
3. Contracts, Leases and Agreements:
  - A. \*Approval of Industrial Park Lease Agreement with Elite Well Services, LLC for a portion of Lot(s) 1,2,3,4 and 5 of Block 3; and Lot 8 of Block 6 of the Industrial Park of Artesia – Phase III Blocks 4,5 and 6 Replat
4. Appointments:
5. Resignations:
  - A. Uphold the termination of Tina Torres as Community Development Director effective March 11, 2014
  - B. Accept the retirement of Virginia Hudson, Police Department Maintenance Tech, effective March 31, 2014
6. Dates of Hearing:

7. \*Travel and Training:
  - A. Police – Ratification of Mayor Burch's approval for one (1) employee to attend the Instructor Refresher course in Artesia, NM. *Registration is only cost*
  - B. Police – Ratification of Mayor Burch's approval for two (2) employees to attend Emerging Issues in School Safety training in Albuquerque, NM. Request actual expenses
  - C. Police – Ratification of Mayor Burch's approval for two (2) employees to attend Mitigating Operational Liability training in Artesia, NM. *Registration is only cost*
  - D. Police – Ratification of Mayor Burch's approval for two (2) employees to attend the SFST update in Las Cruces, NM. Request actual expenses
  - E. Police – Permission for two (2) employees to attend the CPTED Practitioner class in Yukon, OK. Request actual expenses
  - F. Police – Permission for two (2) employees to attend the National Association of School Resource Officers conference in Palm Springs, CA. Request actual expenses
  - G. Police – Permission for one (1) employee to attend the Managing Patrol Function training in Jacksonville, FL. Request actual expenses
  - H. Police – Permission for three (3) employees to attend Police Internal Affairs training in Scottsdale, AZ. Request actual expenses
  - I. Police – Permission for one (1) employee to attend Knock and Talk Investigation Techniques training in Las Cruces, NM. Request actual expenses
  - J. Police – Permission for one (1) employee to attend Crime Scene Reconstruction I training in Hobbs, NM. Request actual expenses
  - K. Police – Permission for one (1) employee to attend Buckle Up NM 2014 in Albuquerque, NM. Request actual expenses
  - L. Police – Permission for one (1) employee to attend the Animal Care Expo in Daytona, FL. Request actual expenses
  - M. Wastewater – Permission for one (1) employee to attend NMWWA Northern Short School in Espanola, NM. Request actual expenses
  - N. Facility Maintenance – Permission for one (1) employee to attend Incode training in San Antonio, TX. Request actual expenses
  - O. Police – Permission for one (1) employee to attend the Advanced SRO training in Aurora, CO. Request actual expenses
  - P. F&A – Permission for two (2) employees to attend the NMML District meeting in Hobbs, NM. *Registration is only cost*
  - Q. F&A – Permission for one (1) employee to attend the State Auditor training in Albuquerque, NM. Request actual expenses
  - R. Planning – Permission for one (1) employee to attend the Southern NM Building Officials 2014 Spring conference and training in Ruidoso, NM. Request actual expenses
  - S. Fire – Ratification of Mayor Burch's approval for one (1) employee to attend the Principles of Fire Investigation in Emmitsburg, MD. Request actual expenses (*course is reimbursed*)
  - T. F&A – Permission for two (2) employees to attend the NM Municipal Clerks Certification workshop, the NM Municipal Clerk & Finance Officers Association Annual Spring meeting and the GFOA Education Committee meeting in Albuquerque, NM. Request actual expenses
  - U. IT – Permission for one (1) employee to attend Project Management Professional training in Washington, DC. Request actual expenses
8. Use of Facilities (*approval contingent upon receipt of all applicable fees, license(s) and dept approvals*):
  - A. Tarra Williams representing the City of Artesia Recreation Department – request for an ambulance stand by and waiver of fees for the Artesia Colorful 5K Run at Jaycee Park on Saturday, April 12, 2014 from 7:00 am – 12:00 pm (*use of park approved February 25, 2014*)
9. Routine Requests for City Facilities:
  - A. \*Artesia Chamber of Commerce – Request use of the parking lot south of Jaycee Park for the Bennett's Amusement Carnival Monday, March 31, 2014 thru Sunday April 6, 2014 (hours of operation Thursday 6 pm – 11 pm, Friday 6 pm – midnight, Saturday 1 pm – midnight, Sunday 1 pm – 10 pm). Request approval of use of city services as stated on application and waiver of fees. (*Contingent upon proof of insurance, security, City Business license, State carnival license and Public Safety requirements*)

10. Budgeted Items:
  - A. Police – Purchase L-3 Cameras
  - B. Police – Purchase FARO Crime Scene Scanner
11. Non-budgeted Items:
12. \*Payment of Bills:
  - A. Permission to pay additional accounts payable (to be ratified March 25, 2014)

Mayor Pro tem moved to consider agenda items 16-A, 16-B and 16-C at this time. The motion was seconded by Councilor Rogers and upon vote, the motion passed.

### **Mayor**

Councilor Rogers moved, in accordance with Section 3-11-5 NMSA 1978, to confirm the following Appointive Officers for the City of Artesia:

John Caraway – City Attorney  
Byron Landfair – Infrastructure Director  
Aubrey Hobson – City Clerk/Treasurer  
J.D. Hummingbird – Fire Chief  
Don Raley – Police Chief  
Bill Thalman Human Resources Director

The motion was seconded by Mayor Pro tem Hill and upon vote, the motion passed.

Councilor Rodriguez moved, in accordance with Section 3-11-5 NMSA 1978 to confirm the employment of all current full-time and part-time regular employees, as well as all probationary and as-needed employees of the City of Artesia, as of March 11, 2014. The motion was seconded by Councilor Madrid and upon vote, the motion passed.

Mayor Burch opened the floor for nominations for Mayor Pro tem. Councilor Rogers nominated Terry Hill as Mayor Pro tem. Councilor Aguilar moved to close nominations and elect Terry Hill as Mayor Pro tem, by acclamation. The motion was seconded by Councilor Rogers and upon vote, the motion passed.

### **Public Hearing**

Mayor Burch opened the meeting for public hearing for the following:

1. Consideration and approval of an ordinance approving a Public Participation Agreement with Sterling Management.

Economic Development Director Michael Bunt reported that this request is for the new Assisted Living Facility being build north of WalMart on 26<sup>th</sup> Street. Mr. Bunt reported that the GAEDC has recommended approval of the agreement for a total of \$100,000./

City Clerk Aubrey Hobson reported that in Section 4, there is a sentence that refers to construction beginning by December of 2014. Mr. Hobson recommended striking the sentence, since the facility is constructed and almost ready to open.

Councilor Rogers moved to approve the Public Participation Agreement with Sterling Management, with the change recommended by Mr. Hobson, Ordinance No. 928. The motion was seconded by Councilor Youtsey, and upon roll call vote, with the following votes recorded:

Aye: Aguilar, Bratcher, Hill, Madrid, Rodriguez, Rogers, Sanchez, Youtsey

Nay: none

the motion passed.

### **ORDINANCE NO. 928**

#### **Period for Hearing Visitors**

Wendell Lovelis, representing the Artesia Radio Control Club, reported that the Helicopter Fun Fly was a huge success and that participants came from as far away as Philadelphia PA.

#### **Period for Hearing Visitors**

Nancy Hussleman, representing the Artesia Drug and Crime Coalition, introduced the new staff for the 7024U facility – Nancy Dunnahoo Brown, Director, and Callie Armstrong and Scott Herrera, Interventionalist Specialists.

#### **Comments from Public Officials and Contracted Services**

Linda Stevens, representing Artesia Clean and Beautiful, reported on recycling activities and upcoming events.

#### **Personnel**

Human Resources Director Bill Thalman distributed the safety statistics for February.

Mr. Thalman thanked the IT staff – Barry Goldstrom and Eddy Methola for their work in getting the technology for the new library set up.

#### **Public Safety**

##### Police

Chief Raley distributed the department statistics for February.

Chief Raley invited the Council to a retirement reception for Virginia Hudson on Thursday, March 13<sup>th</sup> at 2:00 p.m.

##### Fire

Chief Hummingbird distributed the department statistics for February.

## **Community Development**

Code Enforcement Officer Cheryl Hinkle requested approval of condemnation of the structure at 803 S. 3<sup>rd</sup> Street. Ms. Hinkle reported that the house had burned in 2011, and there was no insurance. The family members are no longer interested in dealing with the property and she recommends condemnation, payment of current taxes and to begin the foreclosure procedures. Councilor Bratcher moved to approve the condemnation of 803 S. 3<sup>rd</sup> Street, with the payment of taxes, and to begin foreclosure procedures, Resolution No. 1532, The motion was seconded by Mayor Pro tem Hill and upon vote, the motion passed.

### **RESOLUTION NO. 1532**

Ms. Hinkle requested approval of condemnation of the structure at 2722W. Richardson Ave. She stated that the structure has been vacant for some time. Mr. George Shipley, the husband of owner Sammie L. Davis, had pulled a permit for demolition in January, but no action has taken place. She has received a copy of the release of lien for asbestos abatement, and recommends condemnation, payment of current taxes and to begin the foreclosure procedures. Councilor Bratcher moved to approve the condemnation of 2722 W. Richardson and to pay current taxes and begin foreclosure proceedings. The motion was seconded by Councilor Rodriguez and upon vote, the motion passed.

### **RESOLUTION NO. 1533**

## **Infrastructure**

Infrastructure Director Byron Landfair reported on the status of projects. Mr. Landfair reported that Phase II of the 13<sup>th</sup> Street has begun.

## **Mayor**

Mayor Burch distributed the Council committee assignments for 2014-2016 as follows:

Administration: Jose Luis Aguilar (chair)  
Raul Rodriguez  
Nora Sanchez

Budget & Finance Bill Rogers (chair)  
Nora Sanchez  
Terry Hill  
Jeff Youtsey

Government: Phillip Burch

Infrastructure: Terry Hill (chair)  
Jeff Youtsey  
Bill Rogers

Personnel: Jeff Youtsey (chair)  
Raul Rodriguez

Planning: Kent Bratcher  
Manuel Madrid (chair)  
Bill Rogers  
Jose Luis Aguilar

Police & Fire Kent Bratcher (chair)  
Nora Sanchez  
Manuel Madrid

Recreation: Raul Rodriguez

Councilor Aguilar stated that while he appreciated being named chair for the Administrative Committee, it did not look like that committee did very much and he wanted to be part of a committee that stays active, part of the movement in the future. Councilor Aguilar requested to be removed from both of his committee assignments.

**New and other Business from Councilors**

Councilor Youtsey stated that he will hold an interest meeting for the "My Neighborhood" program on March 19<sup>th</sup>.

Councilor Rogers, moved that in accordance with 10-15-1-H(8), the Council and Mayor go into executive session regarding the purchase or sale of property. The motion was seconded by Councilor Bratcher and upon roll call vote, with the following votes recorded:

Aye: Aguilar, Bratcher, Hill, Madrid, Rodriguez, Rogers, Sanchez, Youtsey

Nay: none

the motion passed.

Council recessed to executive session at 8:14 p.m.

Council reconvened at 8:36 p.m.

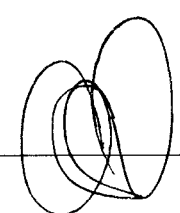
Councilor Rodriguez moved that the only matters discussed in executive session pertained to the purchase or sale of property and no action was taken. The motion was seconded by Councilor Rogers and upon vote, the motion passed.

Mayor Burch directed the Infrastructure staff to proceed with the purchase of real property.

There being no further business to come before the Council, the meeting adjourned at 8:44 p.m. March 11, 2014.

  
Mayor

ATTEST:

  
City Clerk